

REMARKS

In view of the foregoing amendments and the following remarks, favorable reconsideration of the above referenced application is respectfully requested.

Applicant has considered the Examiner's discussion of published application U.S. 2003/0046147 A1 to Bondy, as well as the provisional patent application from which this Bondy reference claims priority.

Independent Claim 1, as amended, now specifically recites a business system that is neither taught nor suggested by Bondy. Specifically, one key difference between the present claimed invention and Bondy is that the claimed business system enables a member of an Affinity organization to make electronic purchases directly from a plurality of affiliate organization providers. Support for the limitation is found in Applicant's specification on page 10, lines 13 - page 11, line 8, and as shown in Figure 1. Advantageously, members of the Affinity organization can make purchases directly with a plurality of the affiliate organizations who contract with the core business. Providing numerous choices to the members of the Affinity organizations is one advantage to encourage members to utilize the Ifiniti system. In contrast, Bondy is directed towards a system that "funnels" orders from members of an Affinity Group to a single e-tailing system that meets the needs of the group, such as churches, schools, or health clubs each having a "common interest". (See Specification Page 2, paragraph 21, lines 1-13). Each Affinity group determines which products or services of the single e-tailing system to make available to its members. (Page 3, paragraph 33, lines 1 -3). The site administrator of the Affinity group edits the store page to customize their store and determine which materials are available. (Page 3, paragraph 33, lines 7-12). This single e-tailing system may service Affinity organizations or groups, and provide bulk packing and create a group package that is delivered to the respective Affinity organization. (Page 4, paragraph 35, lines 1-20). Electronic orders of Bondy may be processed "in a batch system according to the present invention, so that processing or service costs can be considerably reduced.

Therefore, the reduced cost maybe reflected in the prices of the products or services, or shared with a respective Affinity group as part of a partnership practice". (See page 4, paragraph 37, lines 1-7).

In contrast, the present invention is directed to providing members of an Affinity group the ability to purchase goods from a plurality of affiliate organizations, in what ever volume they choose and without "pooling" the orders, and have these goods delivered directly to them, rather than funneled back through the group in a "batch style". Dependent Claim 6, focuses on this additional feature whereby the goods are delivered directly to the member, rather than through the Affinity group. For purposes of priority, it is noted in the Bondy publication on page 4, paragraph 35 lines 20-26 that the member package may be delivered directly to the corresponding purchaser. However, this teaching is never provided or suggested in the corresponding provisional application, and hence, the priority date for this limitation is the filing date of March 30, 2001 of the Bondy '147 application. Notably, the present application also is based on a provisional application dated December 5, 2000, which does include this teaching of shipping purchased goods directly to a member making the purchase. Accordingly, dependent Claim 6 is allowable over Bondy for the additional foregoing reasons.

The teachings of the present invention, and that of Bondy, are different because they are directed to providing different goals. Bondy is directed towards groups having common interest, and to promote the sale of products and services meeting this common interest.

The present claimed invention is directed towards providing members access to a plurality of goods and services which may or may not have any common affiliation. The present invention is directed to a revenue model to take advantage of the purchase power of a huge number of members, and leveraging this buying power for the benefit of all Affinity groups, without restrictions.

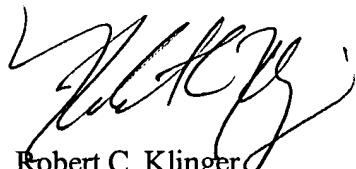
Other dependent claims further distinguish the present invention over the cited prior art, including providing residual income and royalty, and ownership by the members in the business system.

For the foregoing reasons, all pending Claims 1-17, and 19-21 are believed to be in condition of allowance and a notice to this effect is respectfully requested.

A three month Extension of Time is included with the requisite fees. If any additional fees are deemed due the Examiner is authorized to debit Deposit Account 50-1752.

If any other matters remain, the Examiner is encouraged to contact the undersigned attorney to resolve these matters by Examiner's amendment were possible.

Respectfully Submitted,



Robert C. Klinger
Reg. No. 34,365
Attorney for Applicant

Jackson Walker L.L.P.
2435 North Central Expressway, Suite 600
Richardson, Texas 75080
(972) 744-2900
(972) 744-2909 – Fax